

### **DETAILED ACTION**

Applicant's amendment and remarks received 11 April 2008 have been fully considered. Claims 26, 28-33, 35-47 and 49-53 are therefore allowed with the additional limitations included. Together with the Examiner's Amendment below places this application in conditions for allowance.

#### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Reid (Reg No 36,369) on 27 May 2008.

#### **The application has been amended as follows:**

Claim 27 (cancelled)

Claim 40 (currently amended) Apparatus according to claim 26, wherein the equilateral star contains an odd number of vertices.

#### ***Examiner's Statement of Reasons for Allowance***

#### **The following is an examiner's statement of reasons for allowance:**

The prior art of record fails to disclose or reasonably suggest an optical fiber having a first non-circular cladding defined by an equilateral star and an outer periphery with concave arced sides in addition to the accompanying features of the independent.

The prior art of record also fails to disclose or reasonably suggest an optical fiber having a first non-circular cladding defined by an outer periphery with concaved arced sides, where the concave sides have a curvature of radius greater than half the diameter in addition to the accompanying features of the independent.

The closest prior art of record have been discussed in previous Office actions.

**Therefore, claims 26, 28-33, 35-47 and 49-53 are allowed.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2874

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/Tina M Wong/  
Primary Examiner, Art Unit 2874